

Serial No.: 09/923,386

**REMARKS**

Claims 1-2 and 4-6 are pending and stand ready for further action on the merits.

Claim 1 has been amended to recite a triangle cord arrangement wherein the protruding portion protruding radially outwardly from the radially outer end (BU) of the bead apex forms a side of the triangle and the other two sides are formed from the carcass ply main portion and the turned up portion. Support for this amendment can be found on page 8, lines 2-6.

Also, claim 1 has been amended to recite that the length ( $\alpha$ ) of the protruding portion is in a range of not less than 10 millimeters. Support for this distance range can be found in cancelled claim 3.

In addition, claim 1 has been amended to recite that the minimum thickness ( $W_{min}$ ) occurs between the radially outer end (FU) of the reinforcing cord layer and the maximum tire section width point (M). Support for this feature can be found in claim 6.

Claims 4 and 6 have been amended to improve clarity.

No new matter has been added by way of the above-amendment.

**Issues Under 35 U.S.C. §112, second paragraph**

Claim 4 is rejected under 35 U.S.C. §112, second paragraph for being indefinite. Applicant respectfully traverses the rejection.

Serial No.: 09/923,386

Specifically, the Examiner objects to the fact that at line 2 of claim 4, a "radially inner end" is used and it is unclear which feature is being described.

In response, Applicant followed the Examiner's suggestion of amending claim 4 to recite that the "radial distance (K) of the radially inner end (FD) of the reinforcing cord layer from the radially outer end (BD) of the bead core" is in a specific range.

Accordingly, Applicant respectfully submits that claim 4 particularly points out and distinctly claims the subject matter which Applicant regards as the invention. As such, withdrawal of the rejection is respectfully requested.

#### Issues Under 35 U.S.C. §103

Claims 1-6 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tokutake (U.S. 5,117,886). Applicant respectfully traverses the rejection.

#### Advantages of the Present Invention

The present invention is drawn to a pneumatic tire having distinctive features from the pneumatic tires of the prior art which enable the inventive tire to have a reduced weight without deterioration in the properties such as steering stability, noise performance and the like.

Specifically, the presently claimed tire contains a triangle cord arrangement wherein one side of the triangle is formed of a

Serial No.: 09/923,386

protruding portion protruding radially outwardly from the radially outer end (BU) of the bead apex, and the other two sides of the triangle are formed from the carcass ply main portion and the turned up portion of the carcass ply. As mentioned on page 8, lines 5-6 of the present specification, this triangle arrangement provides the tire with circumferential rigidity which thereby improves the steering stability.

Applicant respectfully submits that the above described features of the present pneumatic tire give the tire superior properties to the tires of the prior art.

Tokutake

The Examiner has taken the position that Tokutake fairly teaches or suggests the inventive pneumatic tire as described in each of claims 1-6. Applicant respectfully submits that Tokutake fail to make obvious the pneumatic tire, as amended herein.



Serial No.: 09/923,386

contact the carcass main ply. Accordingly, the triangle cord arrangement as presently claimed, is not found in Tokutake.

In addition, Applicant has amended claim 1 to recite that the minimum thickness ( $W_{min}$ ) occurs between the radially outer end (FU) of the reinforcing cord layer and the maximum tire section width point (M). This feature was originally described in claim 6. According to the Examiner's comments on claim 6, the Examiner characterizes the tire of Tokutake as follows:

the minimum thickness occurs at a position that is approximately at the maximum section width point.

Accordingly, it is not clear whether the Examiner appreciates the fact that the last clause of claim 6 indicates that the minimum thickness ( $W_{min}$ ) occurs "between" the radially outer end (FU) of the reinforcing cord layer and the maximum tire section width point (M). The Examiner's comments indicate that Tokutake teach that the minimum thickness occurs at a position that is approximately at the maximum section width point, but the Examiner does not indicate that the minimum thickness of the tire of Tokutake is "between" the radially outer end of the reinforcing cord layer and the maximum tire section width point as presently claimed. Accordingly, it is not clear whether the Examiner appreciates that the minimum thickness occurs at a point below the maximum section width point as was described in claim 6 and now is

Serial No.: 09/923,386

described in claim 1. Applicant respectfully submits that Tokutake neither teaches nor suggests this feature.

Based on the foregoing, it is clear that a *prima facie* case of obviousness cannot be said to exist. As the MPEP directs, all the claim limitations must be taught or suggested by the prior art to establish a *prima facie* case of obviousness. See MPEP §2143.03.

Tokutake does not render the inventive pneumatic tire unpatentable, since Tokutake fails to teach or suggest the inventive triangle cord arrangement and the location of the minimum thickness ( $W_{min}$ ). As such, withdrawal of the rejection is respectfully requested.

#### **Drawings**

Applicant notes that the present application has been filed with five sheets of drawings. However, the Examiner has not indicated whether the drawings are acceptable. Applicant respectfully requests that the Examiner indicates whether the drawings are acceptable in the next communication.

#### **Information Disclosure Statement (IDS)**

Applicant timely filed IDS's on August 8, 2001 and July 15, 2003. The Examiner is respectfully requested to enclose signed copies of the PTO-1449 forms which were included with each of these IDS's.

Serial No.: 09/923,386

Conclusion

In view of the above amendments and comments, Applicant respectfully submits that the claims are in condition for allowance. A notice to such effect is earnestly solicited.

Pursuant to the provisions of 37 C.F.R. §§ 1.17 and 1.136(a), the Applicant hereby petitions for an extension of two (2) months to August 5, 2003 in which to file a reply to the Office Action. The required fee of \$410.00 is enclosed herewith.

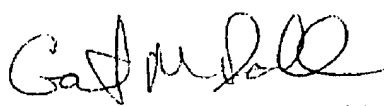
If the Examiner has any questions concerning this application, he is requested to contact Garth M. Dahlen, Ph.D. (#43,575) at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Joseph A. Kolasch  
Reg. No. 22,463

for

JAK/GMD/gh

P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000